

Docket No.  
1035-00

# Declaration and Power of Attorney For Patent Application

## English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

"METHOD FOR DETECTING TIME-DEPENDENT MODES OF DYNAMIC SYSTEMS"

the specification of which

(check one)

☐ is attached hereto.

☒ was filed on September 11, 1998 as United States Application No. or PCT International Application Number PCT/EP98/05793 and was amended on \_\_\_\_\_

(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)		Priority	Not Claimed
<u>197 40 565.7</u>	<u>Germany</u>	<u>15.09.1997</u>	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	
<u>                    </u>	<u>                    </u>	<u>                    </u>	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	
<u>                    </u>	<u>                    </u>	<u>                    </u>	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

\_\_\_\_\_  
(Application Serial No.)

\_\_\_\_\_  
(Filing Date)

\_\_\_\_\_  
(Application Serial No.)

\_\_\_\_\_  
(Filing Date)

\_\_\_\_\_  
(Application Serial No.)

\_\_\_\_\_  
(Filing Date)

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C. F. R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

\_\_\_\_\_  
(Application Serial No.)

\_\_\_\_\_  
(Filing Date)

\_\_\_\_\_  
(Status)  
(patented, pending, abandoned)

\_\_\_\_\_  
(Application Serial No.)

\_\_\_\_\_  
(Filing Date)

\_\_\_\_\_  
(Status)  
(patented, pending, abandoned)

\_\_\_\_\_  
(Application Serial No.)

\_\_\_\_\_  
(Filing Date)

\_\_\_\_\_  
(Status)  
(patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. *(list name and registration number)*

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Reg.No. 38,412  
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Reg.No. 42,524

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Joan T. Kluger  
James A. Droble  
Armando A. Flores

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Reg.No. 19,690  
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T. Daniel Christenbury (215) 563-1810

Direct Telephone Calls to: *(name and telephone number)*

Full name of sole or first inventor

Klaus Pawelzik

Sole or first inventor's signature

*[Signature]*

Date

March 5<sup>th</sup>, 2000

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Citizenship

German

Post Office Address

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D-27568 Bremen (Germany)

Full name of second inventor, if any

Klaus-Robert Müller

Second inventor's signature

*[Signature]*

Date

Apr. 13<sup>th</sup> 2000

Residence

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Citizenship

German

Post Office Address

Fregestraße 7a

D-12159 Berlin (Germany)

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Full name of third inventor, if any	Jens Kohlmorgen	
Third inventor's signature	<i>J. Kohlmorgen</i>	Date March 13th, 2000
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Citizenship	German	
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	D-10243 <del>D-10625</del> Berlin (Germany)	

Full name of fourth inventor, if any
Fourth inventor's signature
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Citizenship
Post Office Address

Full name of fifth inventor, if any
Fifth inventor's signature
Date
Residence
Citizenship
Post Office Address

Full name of sixth inventor, if any
Sixth inventor's signature
Date
Residence
Citizenship
Post Office Address

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 Approved for use through 9/30/00. OMB 0651-0031  
 Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**STATEMENT CLAIMING SMALL ENTITY STATUS**  
**(37 CFR 1.9(f) & 1.27(d))—NONPROFIT ORGANIZATION**

Docket Number (Optional)  
 1035-00

Applicant, Patentee, or Identifier: Klaus Pawelzik et al.

Application or Patent No.: \_\_\_\_\_

Filed or Issued: \_\_\_\_\_

Title: Modes for detecting time-dependent modes of dynamic systems

I hereby state that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF NONPROFIT ORGANIZATION Max-Planck-Gesellschaft zur Förderung

ADDRESS OF NONPROFIT ORGANIZATION der Wissenschaften e.V.

Hofgartenstraße 8, D-80539 München (Germany)

**TYPE OF NONPROFIT ORGANIZATION:**

- ☐ UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION
- ☐ TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 U.S.C. 501(a) and 501(c)(3))
- ☐ NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA  
 (NAME OF STATE \_\_\_\_\_)  
 (CITATION OF STATUTE \_\_\_\_\_)
- ☐ WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 U.S.C. 501(a) and 501(c)(3))  
 IF LOCATED IN THE UNITED STATES OF AMERICA
- ☒ WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA  
 (NAME OF STATE \_\_\_\_\_)  
 (CITATION OF STATUTE \_\_\_\_\_)

I hereby state that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees to the United States Patent and Trademark Office regarding the invention described in:

- ☐ the specification filed herewith with title as listed above.
- ☐ the application identified above.
- ☐ the patent identified above.

I hereby state that rights under contract or law have been conveyed to and remain with the nonprofit organization regarding the above identified invention. If the rights held by the nonprofit organization are not exclusive, each individual, concern, or organization having rights in the invention must file separate statements as to their status as small entities and that no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern, or organization having any rights in the invention is listed below:

- ☐ no such person, concern, or organization exists.
- ☐ each such person, concern, or organization is listed below.

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

NAME OF PERSON SIGNING Christa Herzog

TITLE IN ORGANIZATION OF PERSON SIGNING Head of patent department

ADDRESS OF PERSON SIGNING Hofgartenstr. 8, 80539 München

SIGNATURE Christa Herzog DATE 2.3.2000

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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**STATEMENT CLAIMING SMALL ENTITY STATUS**  
**(37 CFR 1.9(f) & 1.27(d))--NONPROFIT ORGANIZATION**

Docket Number (Optional)  
1035-00

Applicant, Patentee, or Identifier: Klaus Pawelzik et al.  
Application or Patent No.: \_\_\_\_\_  
Filed or Issued: \_\_\_\_\_  
Title: Modes for detecting time-dependent modes of dynamic systems

I hereby state that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF NONPROFIT ORGANIZATION GMD - Forschungszentrum  
ADDRESS OF NONPROFIT ORGANIZATION Informationstechnik GmbH  
Schloß Birlinghoven, D-Sankt Augustin (Germany)

**TYPE OF NONPROFIT ORGANIZATION:**

- ☐ UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION
- ☐ TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 U.S.C. 501(a) and 501(c)(3))
- ☐ NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA  
(NAME OF STATE \_\_\_\_\_)  
(CITATION OF STATUTE \_\_\_\_\_)
- ☐ WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 U.S.C. 501(a) and 501(c)(3))  
IF LOCATED IN THE UNITED STATES OF AMERICA
- ☒ WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA  
(NAME OF STATE \_\_\_\_\_)  
(CITATION OF STATUTE \_\_\_\_\_)

I hereby state that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees to the United States Patent and Trademark Office regarding the invention described in:

- ☐ the specification filed herewith with title as listed above.
- ☐ the application identified above.
- ☐ the patent identified above.

I hereby state that rights under contract or law have been conveyed to and remain with the nonprofit organization regarding the above identified invention. If the rights held by the nonprofit organization are not exclusive, each individual, concern, or organization having rights in the invention must file separate statements as to their status as small entities and that no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern, or organization having any rights in the invention is listed below:

- ☐ no such person, concern, or organization exists.
- ☐ each such person, concern, or organization is listed below.

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

NAME OF PERSON SIGNING Prof. Dr. D. Tschritzis, Dr. H.-G. Sundermann  
TITLE IN ORGANIZATION OF PERSON SIGNING Chairman/Vice Chairman of the Executive Board  
ADDRESS OF PERSON SIGNING GMD, Schloss Birlinghoven 53754 St. Augustin, Germany  
SIGNATURE [Signature] DATE 28. Februar 2000